

COPY OF PAPERS  
ORIGINALLY FILED

LAHIVE

&

COCKFIELD

L L P

COUNSELLORS AT LAW

28 STATE STREET

BOSTON, MASSACHUSETTS 02109-1784

TELEPHONE (617) 227-7400

FAX (617) 742-4214

lc@lahive.com

COPY OF PAPERS  
ORIGINALLY FILED

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DeCONTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
DeANN FORAN SMITH  
PETER C. LAURO  
JEANNE M. DIGIORGIO  
DEBRA J. MILASINIC, Ph.D.  
DAVID J. RIKKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.  
MEGAN E. WILLIAMS, Ph.D.  
RICHANAND  
MICHAEL PHILLIPPS \*  
LISA M. DIROCCO  
HATHAWAY P. RUSSELL \*\*  
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.  
PETER A. DIMATTIA  
VINCENT P. LOCCISANO  
MERIDETH C. ARNOLD

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
SIBLEY P. REPPERT

PATENT AGENTS  
THEODORE R. WEST  
SHAYNE Y. HUFF, Ph.D.  
DANIEL B. KO

TECHNICAL SPECIALISTS  
CYNTHIA M. SOROOS  
PETER W. DINI, Ph.D.  
EUIHOON LEE  
JENNIFER K. ROSENFELD  
ALLAN TAMESHTIT, Ph.D.  
CATHERINE E. McPHERSON  
ERIC F. WAGNER, Ph.D.  
SHAHID HASAN, Ph.D.  
JACOB G. WEINTRAUB  
JONATHAN M. SPARKS, Ph.D.  
CRISTIN E. HOWLEY, Ph.D.

\* Admitted in NY only  
\*\* Admitted in TX only

February 5, 2002

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/781,133  
Title: "Methods for Enhancing the Bioavailability of a Drug"  
Inventors: Neil J. Hayward *et al.*  
Filing Date: February 9, 2001  
Attorney Docket No. PPI-064

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (in duplicate);
2. Executed Declaration, Petition and Power of Attorney (two copies, 6 pages each);
3. Request for Three-Month Extension of Time (in duplicate);
4. Copy of Notice to File Missing Parts of Nonprovisional Application (Formalities Letter);
5. Statement of Limited Recognition Under 37 C.F.R. §10.9(b);
6. Check for \$1302.00 (basic filing fee, extra claims fee and surcharge);
7. Check for \$460.00 (extension fee based on small entity status);
8. Pre-paid acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extension of time necessary to respond. *For this purpose, a duplicate of this sheet is enclosed.*

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

February 5, 2002

Date

Maria C. Laccotripe  
Limited Recognition Under 37 C.F.R. § 10.9(b)

LAHIVE & COCKFIELD, LLP

Attorneys at Law

By:

Maria C. Laccotripe, Ph.D.

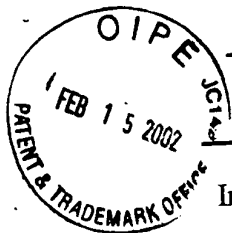
Attorney for Applicant

Limited Recognition Under 37 C.F.R. §10.9(b)

IV6

COPY OF PAPERS  
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: Neil J. Hayward *et al.*

Serial No.: 09/781,133

Filed: February 9, 2001

FOR: "*Methods for Enhancing the Bioavailability of a Drug*"

Attorney Docket No.: PPI-064

Group Art Unit: 1614

Examiner: Not Yet Assigned

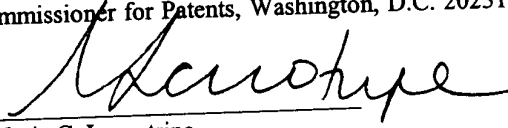
BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

February 5, 2002  
Date of Signature and of Mail Deposit

By:

  
Maria C. Laccotripe  
Limited Recognition Under 37 C.F.R. § 10.9(b)

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION

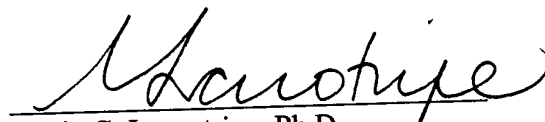
Dear Sir:

Responsive to the Notice to File Missing Parts of Non-Provisional Application dated October 2, 2001, Applicants' agent submits herewith the executed Declaration, Petition and Power of Attorney for the above-identified patent application. A check in the amount of \$1302.00 is enclosed to cover the total amount owed by Applicants including the \$65.00 surcharge, \$370.00 basic filing fee, and \$867.00 additional claims fee. A copy of the Formalities Letter is also enclosed.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Maria C. Laccotripe, Ph.D.  
Attorney for Applicant  
Limited Recognition Under 37 C.F.R. §10.9(b)

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: February 5, 2002

COPY OF PERS  
ORIGINAL FILED

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/781,133	02/09/2001	Neil J. Hayward	PPI-064

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

CONFIRMATION NO. 1688

## FORMALITIES LETTER



\*OC000000006833924\*

Date Mailed: 10/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$845.
  - \$405 for 45 total claims over 20.
  - \$440 for 11 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1265.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/22/2002 AOSMAN1 00000053 09781133

01 FC:201	370.00 OP
02 FC:202	462.00 OP
03 FC:203	405.00 OP
04 FC:205	65.00 OP